

**NURSING HOME ADMINISTRATORS EXAMINING BOARD
MINUTES
MADISON, WISCONSIN
June 17, 1999**

PRESENT: Shirley Keller, Karen Robinson, Nancy Harper, Patricia Schulz, Jerry Schallock, Tony Oberbrunner, Robert Mulder

EXCUSED: Omar Barberena, Rhoda Arzoomanian

STAFF PRESENT: Cletus Hansen, Becky Fry, Ruby Jefferson-Moore; Jim Polewski was present for portions of the meeting.

GUESTS: None

CALL TO ORDER

The meeting was called to order at 9:30 a.m. by Shirley Keller, Chair. A quorum of seven members was present.

AGENDA

MOTION: Nancy Harper moved, seconded by Karen Robinson, to adopt the agenda, as published. Motion carried unanimously.

MINUTES (4/29/99)

MOTION: Karen Robinson moved, seconded by Robert Mulder, to approve the minutes, as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary Cummings' Report

Clete Hansen announced to the Board that Secretary Cummings would be available if she were needed.

Bureau Director's Report

• **Board Roster**

An updated roster was provided in the packet. Clete Hansen asked to be advised of any changes or corrections. Noted.

Shirley Keller informed the Board that Dr. Roland Hammer had passed away and a sympathy card, to be sent to the family, was circulated for members to sign.

The Board members addressed the issue of replacing Nancy Harper, Shirley Keller and Rhoda Arzoomanian, whose terms will be expiring July 1, 1999.

- **Meeting Dates**

The Board received a copy of the Nursing Home Administrators Examining Board 1999 meeting dates. Noted.

- **To Pass Folder**

Information was circulated in the To Pass Folder and duly noted.

Clete Hansen alerted the Board to the Citizen Advocacy Center Model Act included in the To Pass Folder.

LEGISLATIVE UPDATE

LRB-0740/1 dn re: Requirements that Apply to a Person Taking the Examination for a Nursing Home Administrator License

The Board received a copy of the 1999 SB, LRB-0740/2 draft for approval.

Ruby Jefferson-Moore questioned a few items, along with the language on line 12 of section 12 “or its successor.”

The Board discussed the use of “American College of Health Care Administrators and the wording “or its successor” in section 12, page 6, “effective date” in section 14, “initial applicability” on page 5, section 13.

Ruby Jefferson-Moore will confirm with the drafter whether the language of section 13 is correct, however, she noted that the language may change because it is tied into section 8 but should be tied into section 9 and 10.

MOTION: Karen Robinson moved, seconded by Robert Mulder, to remove the language “or its successor” from section 12. Motion carried unanimously.

MOTION: Karen Robinson moved, seconded by Jerry Schallock, to approve the LRB-0740/2 99 SB draft as amended. Motion carried unanimously.

MOTION: Pat Schulz moved, seconded by Nancy Harper, to authorize Karen Robinson, representing the Board, to approve minor changes to the draft, if necessary. Motion carried unanimously.

- **Survey of Licensees Who Had Taken the UW Extension Audiotape Program**

Judy Mender reported to the Board that 491 survey letters were sent to licensees who had taken the UW Extension audiotape program. At this time, 205 responses had been received along with approximately 40 returned undeliverable.

Clete Hansen asked for suggestions for categories needed to set up a report of the surveys that had been returned.

Karen Robinson suggested the format and categories for the report. Judy Mender will prepare a report for the next meeting.

1999 SB 172

Clete Hansen informed the Board that a copy of the 1999 SB 172 was included in the packet for informational purposes. He stated a companion bill, 1999 AB 379, had been introduced in the Assembly. Noted.

ADMINISTRATIVE RULES UPDATE

Scope Statement for Amendments re: Qualifications for Licensure

The Board reviewed the Scope Statement. Karen Robinson noted the use of “regular course of study” and that it should be repeated rather than using “a program of study” in section NHA 4.01 (1) (c).

Discussion of Proposed Administrative Rules

Ruby Jefferson-Moore asked the Board for any necessary changes to be made to the draft of the proposed administrative rules, based on the last meeting’s approval.

MOTION: Karen Robinson moved, seconded by Pat Schulz, to request the proposed administrative rules draft to be forwarded to Legislative Council for review and to hold a public hearing at the next meeting. Motion carried unanimously.

Interpretation of s. 456.10(1)(d), Stats.

The Board and Jim Polewski discussed the definition of “pattern of violation” and “serious violation.”

The Rules Committee, consisting of Karen Robinson, Nancy Harper, Jerry Schallock, and Robert Mulder, will meet at 8:00 a.m. on the day of the next meeting to propose recommendations to the Board relating to the interpretation of s. 456.10 (1) (d), Stats. The Board meeting will be held at 9:30 a.m. and screening will be held upon the conclusion of the Board meeting.

MOTION: Karen Robinson moved, seconded by Jerry Schallock, to refer to the Rules Committee for the purpose of making a recommendation to the Board on the advisability of drafting rules. Motion carried unanimously.

UPDATE REGARDING HEALTH CARE FRAUD AND ABUSE DATA COLLECTION

Clete Hansen informed the Board that the Department of Regulation and Licensing is going to take on this task for all Boards affected by this law.

Clete Hansen referred to the Milwaukee Journal Sentinel, Sunday, June 6, 1999 article, "State Looking to Help Nurses Cross Borders."

EXAMINATION ISSUES

NAB State-Based Exams

Darwin Tichenor informed the Board that NAB plans to put the national examination on computers in January of 2000 and would also like to have state exams computerized. The Board discussed that the needed revision of HFS 132 is complicating the process of the examination being computerized.

MOTION: Karen Robinson moved, seconded by Pat Schulz, to begin work on a state-based computer exam. Motion carried unanimously.

The Board discussed the current exam questions and concurred that the nurse staffing questions needed review and revision. Pat Schulz and Shirley Keller reviewed the questions upon adjournment of the meeting.

Darwin Tichenor suggested that if Wisconsin will be participating in the computer based exams, a licensed professional should attend the July 29th and 30th National Association of Boards of Examiners of Long Term Care Administrators (NAB) meeting in Chicago. He explained that the plan is to have states who will be participating, bring in questions from their exams and people from other states will identify which questions will be useful for a state-based exam.

MOTION: Karen Robinson moved, seconded by Pat Schulz, that Shirley Keller attend the July 29th and 30th NAB meeting. Motion carried unanimously.

Darwin Tichenor recommended that another licensed professional attend the meeting along with Shirley Keller and himself. Darwin will contact Mike Kittleson from Blair, or Judy Wheeler from Superior, to see if either would be available to attend the meeting.

BOARD MEMBER ACTIVITY

Annual Meeting of NAB in June, 1999

No one was able to attend the June, 1999 NAB meeting. Shirley Keller strongly recommended someone attend the fall meeting.

CITIZENS ADVOCACY CENTER MODEL ACT TO IMPROVE REPORTING OF ADVERSE ACTIONS BY HEALTH CARE ORGANIZATIONS TO STATE LICENSING AUTHORITIES

Noted.

PROVISIONAL LICENSES

Ruby Jefferson-Moore referred to Section 456.01 (4) (5) (6), Stats., relating to provisional licenses, and Section 50.04 (2), Stats., relating to required personnel. She stated we have a definitions, but no provisions that relate to those definitions and that there is nothing in the statutes on how to get a provisional license.

MOTION: Karen Robinson moved, seconded by Jerry Schallock, that the screening committee keep track of complaints that are not opened for “no jurisdiction,” due to the fact that the acting administrator is not licensed, and a letter be sent to Rita Prigioni, acting director of the Bureau of Quality Assurance, asking her to provide us with the number of unlicensed acting administrators in the state during 1998 and the first quarter of 1999. Motion carried unanimously.

HANDLING OF UNLICENSED PRACTICE COMPLAINTS

A copy of a letter from Jack Temby to board chairs was duly noted.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

The Board noted a 5/26/99 letter from the department to Phyllis King regarding her application for the nursing home administrator’s reciprocal examination.

NEW BUSINESS

None.

ELECTION OF OFFICERS

Shirley Keller identified the three vacancies being Nancy Harper, Rhoda Arzoomanian and herself.

MOTION: Robert Mulder moved, seconded by Patricia Schulz, to nominate and elect Karen Robinson for chair. Motion carried unanimously.

MOTION: Karen Robinson moved, seconded by Robert Mulder, to nominate and elect Jerry Schallock as vice chair. Motion carried unanimously.

MOTION: Karen Robinson moved, seconded by Nancy Harper, to nominate and elect Patricia Schulz as secretary. Motion carried unanimously.

Nancy Harper, on behalf of the Board, recognized and thanked Shirley Keller for serving nine years on the Board.

RECESS TO CLOSED SESSION

MOTION: Patricia Schulz moved, seconded by Karen Robinson, to convene the meeting in Closed Session pursuant to sections 19.85(1)(a), (b), and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by this Board or the investigation of charges against such a person. Specifically, to discuss monitoring reports, case status reports, case closings, stipulations, deliberations on stipulations that may be signed after printing of the agenda, deliberations on proposed disciplinary matters that may be signed after printing of the agenda, pending applications, examination issues, and disciplinary proceedings. Motion carried by a roll call vote: Patricia Schulz-yes; Karen Robinson-yes; Jerry Schallock-yes; Tony Oberbrunner-yes; Robert Mulder-yes; Nancy Harper-yes, Shirley Keller-yes. Motion carried unanimously.

Open Session recessed at 12:24 p.m.

The Board received a copy of the Case Status Report.

The Board deliberated issues related to case closings, stipulations, and disciplinary matters.

RECONVENE IN OPEN SESSION

MOTION: Karen Robinson moved, seconded by Robert Mulder, to reconvene in Open Session at 12:40 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

CASE CLOSINGS

MOTION: Karen Robinson moved, seconded by Patricia Schulz, to close Case # 97 NHA 013, JoAnne Wall, for P7. Motion carried unanimously.

MOTION: Karen Robinson moved, seconded by Robert Mulder, to close Case # 98 NHA 023, Elizabeth Blessinger/James Hutchinson, for no violation. Motion carried with 5 “yes” votes and 1 “no” vote.

MOTION: Jerry Schallock moved, seconded by Karen Robinson, to close Case # 96 NHA 005 for P3, Cheryl Ortiz, for P3. Motion carried unanimously.

OTHER SUCH ITEMS AS AUTHORIZED BY LAW

Shirley Keller thanked the Board members for all of their help during her term as chair.

Anthony Oberbrunner distributed information packets from a workshop the Department of Health and Family Services held for facilities that admit people with challenging behaviors.

ADJOURNMENT

MOTION: Karen Robinson moved, seconded by Patricia Schulz, to adjourn the meeting at 12:44 p.m. Motion carried unanimously.

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